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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/866,259

05/25/2001

James Ching-Shau Yik

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09/18/2006

LAUBSCHER & LAUBSCHER, P.C.

1160 SPA ROAD

SUITE 2B

ANNAPOLIS, MD 21403

EXAMINER

TOLENTINO, RODERICK

ART UNIT

PAPER NUMBER

2134

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/866,259	Applicant(s) YIK ET AL.	
	Examiner Roderick Tolentino	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 14 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3 – 7 and 10 – 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Badger et al.'s paper Digital Signature Protection of the OSPF Routing Protocol.
4. As per claims 1, 3, 4, 5, 6, 7, 10 and 13, Badger discloses a plurality of communications ports, a switching database having a plurality of switching entries, each one of the plurality of switching entries specifying an association between a data network node identifier and a communications port, a plurality of switching entry protection flags, each one of the plurality of switching entry protection flags being associated with a switching entry and a controller executing a secure switching database update process, whereby an attempt by a hostile data network node to effect a modification of a protected switching entry is prevented when the protection flag is set, enabling the data switching node to operate securely concurrently in friendly and hostile data networking environments (Badger, Section 4.3 Paragraphs 3 – 5).

5. As per claim 11, Badger teaches the unknown destination data traffic, the method further comprises a step of suppressing the replications of the data traffic to the source communications port (Badger, Section 4.3 Paragraphs 3 – 5).
6. As per claim 12, Badger discloses suppressing the replication of the data traffic to communications ports having the associated unknown destination flood control bit set (Badger, Section 4.3 Paragraphs 3 – 5).
7. As per claim 14, Badger discloses a step of suppressing the replication of the data traffic to the source communications port (Badger, Section 4.3 Paragraphs 3 – 5).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Badger et al.'s paper Digital Signature Protection of the OSPF Routing Protocol in view of Civanlar et al. U.S. Patent No. (5,996,021).
10. As per claim 2, Badger fails to teach the communication ports are represented in the switching entries via port identifiers. However, in an analogous art Civanlar teaches the communication ports are represented in the switching entries via port identifiers (Civanlar, Col. 9 Lines 6 – 26).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Civanlar's Internet protocol relay network with Badger's digital signature protection because it offers the advantage of PORT ID fields having local significance depending on the particular IPRR and the destination of the IP Packet (Civanlar, Col. 9 Lines 6 – 26).

11. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Badger et al.'s paper Digital Signature Protection of the OSPF Routing Protocol in view of Lubarsky et al. U.S. Patent No. (4,893,340).

12. As per claim 8, Badger fails to teach the topology discovery disable flag is associated with the source communications port. However, in an analogous art Lubarsky teaches the topology discovery disable flag is associated with the source communications port (Lubarsky, Col. 24 Lines 13 – 27).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Lubarsky's multijunction unit apparatus for a digital network with Badger's digital signature protection because it offers the advantage of proper routing of information in a system.

13. As per claim 9, Badger fails to teach the topology discovery disable flag is associated with all physical communications ports of the data switching node. However, in an analogous art Lubarsky teaches the topology discovery disable flag is associated with all physical communications ports of the data switching node (Lubarsky, Col. 24 Lines 13 – 27).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Lubarsky's multijunction unit apparatus for a digital network with Badger's digital signature protection because it offers the advantage of proper routing of information in a system.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roderick Tolentino whose telephone number is (571) 272-2661. The examiner can normally be reached on 8:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques H. Louis-Jacque can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Roderick Tolentino
Examiner
Art Unit 2134

Roderick Tolentino

Handwritten signature of Roderick Tolentino, consisting of the letters 'RT' in a stylized, cursive font.Handwritten signature of Gilberto Barron, featuring the name 'Gilberto' followed by a stylized 'B' and a long horizontal flourish.

GILBERTO BARRON JR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100